

August 11, 2009

Bryan N. Sanford, Jr.
84 Cynthia Avenue
Tiverton, Rhode Island 02878

Re: Tiverton Zoning Board Appeal, Map 4-8, Plat/Block 140, Card/Lot 4

Dear Mr. Sanford:

The following is the decision on your petition heard by the Zoning Board of Review (hereinafter, the "Board") on July 1, 2009 and August 5, 2009 from a decision of the Building Official issued on January 28, 2008 to cease and desist any and all construction of a new single family home you have underway on certain property that you own located along Crandall Road, Tiverton, Rhode Island, at Map 4-8, Plat/Block 140, Card/Lot 4 (the "Premises") in an R80 district in violation of the Tiverton Zoning Ordinance (the "Zoning Ordinance") at Article VI, Section 8 (the "Decision").

On April 3, 2008, the Board denied the appeal of the petitioner, who then appealed the matter to the Superior Court. The matter was remanded to the Board for reconsideration based on new facts identified during discovery. These new facts included that a new development was approved by the Planning Board subsequent to the denial of this appeal by the Board that will extend the Town-accepted portion of Crandall Road much closer to the Premises. In addition, the Fire Department had reviewed the petitioner's situation and posed no objection to the construction of the residence based on the condition of the unaccepted portion of Crandall Road.

After the testimony and evidence was presented to the Board by the petitioner, the Board found that the petitioner had shown sufficient evidence that the Building Official's Decision was in error based on the new evidence. Based on the foregoing, the Board voted unanimously to grant your appeal of the Building Official's Decision.

This decision must be recorded in the Land Evidence Records in the Town Clerk's Office. (Please note that the appeal period (20 days) begins only after this decision is recorded and posted with the Town Clerk's Office).

Very truly yours,

David Collins, Chairman
Tiverton Zoning Board of Review